

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

SUN OPTICS, INC., a Utah Corporation,

Plaintiff,

v.

FGX INTERNATIONAL, INC., a Delaware
Corporation,

Defendant.

Civil Action No. 1:07cv137 SLR

STIPULATION AND JOINT MOTION FOR DISMISSAL

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DATE: April 11, 2008

Sun Optics, Inc. ("Sun Optics") and FGX International, Inc. ("FGXI") hereby jointly move the Court for an order dismissing all plaintiff's claims with prejudice, and all defendant's counterclaims, without prejudice. The reason for this motion is that the parties have reached an agreement settling all claims and counterclaims raised in this case. A proposed order is filed simultaneously herewith.

Respectfully submitted this 11th day of April, 2008.

By: /s/ R. Eric Hutz (I.D. 2702)

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**[PROPOSED] ORDER GRANTING STIPULATION AND JOINT MOTION FOR
DISMISSAL**

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The Court, having considered the parties' Stipulation and Joint Motion for Dismissal with Prejudice, and for good cause appearing therefore, the Motion is GRANTED. It is hereby ORDERED:

All plaintiff's claims are dismissed with prejudice;

All defendant's counterclaims are dismissed without prejudice;

Each party shall bear its own costs and attorney fees incurred in this action; and

This Court shall retain jurisdiction over this action for purposes of enforcement of the Settlement Agreement between the parties.

DATED this ____ day of April, 2008

BY THE COURT

By:

Hon. Judge Sue L. Robinson
United States District Court Judge